



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of:	Paul A. Mason	Confirmation No.:	9664
Serial No.:	10/045,730	Art Unit:	1615
Filed:	October 19, 2001	Examiner:	Isis A.D. Ghali
For:	STERILE, BREATHABLE PATCH FOR TREATING WOUND PAIN	Attorney Docket No:	10071-018-999

**STATEMENT CONCERNING COMMON OWNERSHIP
AND DISQUALIFICATION OF REFERENCE UNDER 35 U.S.C. §§ 103(a)(c)**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

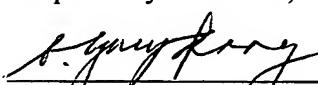
The above-identified application and U.S. Patent No. 6,455,066, cited by the Examiner in the Office Action dated September 26, 2003 as a reference under 35 U.S.C. §§ 102(e) & 103(a), were, at the time the invention in the above-identified application was made, owned by, and/or subject to an obligation of assignment to, EpiCept Corporation.

Applicant therefore requests, in accordance with 35 U.S.C. §103(c) and *MPEP* § 706.02(l)(1)&(2), that U.S. Patent No. 6,455,066 be disqualified and removed as a reference under 35 U.S.C. §103(a) in the above-identified application.

No fee is believed to be due for this submission. Should any fee be required, however, please charge such fee to Jones Day Deposit Account No. 5030313.

Respectfully submitted,

Date: March 26, 2004


Beibing Gary Zhang 47,331
JONES DAY (Reg. No.)
51 Louisiana Avenue, N.W.
Washington, D.C. 20001-2113
(202) 496-4400

For: Samuel B. Abrams (Reg. No. 30,605)
JONES DAY
1155 Avenue of the Americas
New York, NY 10036-2711
(212) 790-9090



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RESPONSE TO NON-FINAL OFFICE ACTION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Office Action mailed September 26, 2003, Applicant submits the following amendment and remarks for entry into the record of the above-identified application. Also submitted herein is a Petition for Extension of Time, with provision for the required fee, which extends the time for responding to the Office Action to March 26, 2004.

A list of the claims and their status can be found in the Appendix.